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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,022	07/12/2001	Donald Henry Willis	PU010149	1946

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Joseph S. Tripoli
THOMSON multimedia Licensing Inc.
Patent Operations, Two Independence Way
P.O. Box 5312
Princeton, NJ 08543-5312

EXAMINER

TRAN, THAI Q

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 02/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/904,022	Applicant(s) WILLIS, DONALD HENRY	
	Examiner Thai Tran	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/16/05 & 1/30/06</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

1. Claims 1-5 and 9-10 are objected to because of the following informalities:

Regarding claim 1, line 4, "and," should be changed to –and--;

Regarding claim 3, last line, "picture" should be changed to –picture.--;

Regarding claim 5, last line, "pictures. ." should be changed to –picture.--;

Regarding claim 9, last line, "predictive pictures.." should be changed to –
predictive pictures.--; and

Regarding claim 10, last line, "intra pictures.." should be changed to –intra
picture.--.

The remaining claims are dependent on the objected independent claim and;
therefore, inherit the deficiencies thereof. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that
form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public
use or on sale in this country, more than one year prior to the date of application for patent in the United
States.

3. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Boyce
(US 5,726,711).

Regarding claim 1, Boyce discloses a method of recording onto a storage media
a video segment (Fig. 1 and col. 6, lines 15-23) comprising the steps of:

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receiving said video segment, wherein said video segment contains at least one predictive picture (DEFF circuit 10 of Fig. 1, col. 6, lines 33-49); and

selectively converting said at least one predictive picture into an intra picture thereby replacing said at least one predictive picture with said intra picture (IISP circuit 14 of Fig. 1, col. 7, lines 1-11).

Regarding claim 2, Boyce discloses the claimed wherein said video segment contains at least one introductory predictive picture and said converting step further comprises the step of selectively decoding a predetermined number of said introductory predictive pictures to obtain a properly decoded predictive picture (variable length decoder circuit 40 of Fig. 3, col. 12, lines 37-48).

Regarding claim 3, Boyce discloses the claimed wherein a portion of each said introductory predictive picture contains intra macroblocks and said predetermined number is based in part on the amount of said intra macroblocks in each said introductory predictive picture (col. 10, lines 40-55).

Regarding claim 4, Boyce discloses the claimed wherein said video segment contains at least one subsequent predictive picture and said converting step further comprises the steps of:

selectively decoding said subsequent predictive pictures (variable length decoder 40 of Fig. 3, col. 12, lines 38-49); and

selecting re-encoding into intra picture predictive pictures selected from the group comprising said subsequent predictive pictures or said introductory predictive pictures (variable length coding circuit 46 of Fig. 3, col. 15, lines 6-15).

Regarding claim 5, Boyce discloses the claimed wherein said video segment is an MPEG video segment that does not contain any intra pictures (col. 5, lines 55-67).

System claims 6-10 are rejected for the same reasons as discussed in method claims 1-5 above.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


The cited references relate to an apparatus for recording video signal.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (571) 272-7382. The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTQ



THAI TRAN
PRIMARY EXAMINER